

Message Text

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PAGE 01 BUCAR 05577 270956Z
ACTION EUR-12

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FM AMEMBASSY BUCHAREST
TO SECSTATE WASHDC IMMEDIATE 4620

C O N F I D E N T I A L BUCHAREST 5577

FOR EUR/EE

E.O. 11652: GDS
TAGS: SHUM, CVIS, SREF, RO
SUBJ: PROPOSAL TO AMEND THE INA
REF: STATE 174370

1. I AM OF COURSE VERY DISTRESSED TO HEAR ABOUT OPPOSITION INTO WHICH MY INITIATIVE HAS RUN SINCE I WAS HOPEFUL THAT WITH THE SECRETARY'S EXPLICIT SUPPORT AND THAT OF CONGRESSMEN EILBERG, VANIK, FASCELL AND SENATORS JACKSON AND RIBICOFF, A SOLUTION HAD BEEN FOUND TO A SERIOUS PROBLEM.

2. A LEGISLATIVE SOLUTION IN MY JUDGMENT REMAINS THE MOST APPROPRIATE AND EFFECTIVE REMEDY BECAUSE IT TIES TOGETHER THE REQUIREMENTS OF JACKSON-VANIK FOR ENCOURAGING FREE EMIGRATION WITH THE MOST HUMANITARIAN APPROACH -- I.E. DIRECT DEPARTURE FOR THE UNITED STATES. A ROMANIA ONLY SOLUTION IS APPROPRIATE AND NECESSARY BECAUSE NO OTHER COUNTRY HAS MFN UNDER JACKSON-VANIK. NO OTHER, WHICH HAS ANY SERIOUS EMIGRATION PROBLEMS, IS LIKELY TO GET IT. TO ME IT IS A SIMPLE AND CLEAR QUESTION OF EQUITY AND GENUINE HUMANITARIAN CONCERN. OUR CONSULAR OFFICIALS ARE OFTEN BERATED BY OFFICIALS OF THE MFA CONSULAR DIRECTORATE ON THE THEME OF THE INEQUITY THAT CERTAIN ROMANIANS CAN GO DIRECTLY TO THE U.S. WHILE OTHERS HAVE TO GO VIA ROME. THESE SAME OFFICIALS ALSO
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REPEATEDLY ASK THAT ALL ROMANIAN EMIGRANTS TO THE STATES BE ALLOWED TO GO DIRECTLY. I FEEL STRONGLY THAT IF WE KEEP INSISTING WITH THE ROMANIAN GOVERNMENT THAT THEY LET PEOPLE LEAVE FOR THE U.S., THEN WE HAVE AN OBLIGATION TO PUT UP NO MORE BARRIERS OURSELVES THAN IS ABSOLUTELY NECESSARY. I AM NOT CONVINCED THAT A 3-6 MONTHS STAY IN ITALY IS NECESSARY OR THAT WE SHOULD BE LESS CONCERNED ONLY BECAUSE APPLI-

CANTS' DIFFICULTIES OCCUR AFTER LEAVING ROMANIA.

3. IF I UNDERSTAND CORRECTLY WHAT CONGRESSMAN EILBERG AND SCA TOLD ME, HE INTENDS THROUGH HIS PROPOSED LEGISLATION TO LIMIT THE NUMBER OF REFUGEES WHO WILL BE ADMISSABLE TO THE U.S. I ALSO UNDERSTAND THAT IN ANY EVENT INS CAPABILITY TO HANDLE MORE ROMANIANS IN ROME IS LIMITED AND WE HAVE BEEN ASKED TO TRY TO ASSURE THAT THOSE MOST URGENT CASES GET TO ROME BY AUGUST 19. EVEN IN THE EVENT THAT INS WERE ABLE TO HANDLE MORE ROMANIANS IN ROME, WE WOULD NEED TO HAVE THEIR AGREEMENT TO APPLY CRITERIA SIMILAR TO THOSE USED FOR SOVIET TCP APPLICANTS RATHER THAN THE STRICTER CRITERIA NOW USED FOR ROMANIAN APPLICANTS. FOR THE MOMENT, ONLY A FEW OF OUR CURRENT NON-PREFERENCE CASES HAVE ELECTED TO GO THE TCP ROUTE, SAYING THEY PREFER TO TAKE THEIR CHANCES, TRY TO EXTEND THEIR EXIT PERMITS AND TRUST THAT IN OCTOBER THEY CAN LEAVE DIRECTLY FOR THE U.S. WITHOUT THE ENFORCED ITALIAN STOPOVER AS THEY HAD ORIGINALLY EXPECTED TO DO. OF COURSE, IF THE ELIBILITY DATE RECEDES, AS I WAS TOLD IT WAS LIKELY TO DO, THEN MANY OF THEM WILL HAVE TO RECONSIDER.

4. THE PAROLE OPTION WAS NOT DISCUSSED WITH ME IN WASHINGTON BUT I ASSUME THIS WOULD STILL INVOLVE A LENGTHY STAY IN ANOTHER COUNTRY. IF THIS IS NOT CONFIDENTIAL

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RECT, PLEASE LET ME KNOW WHAT IS INVOLVED.

5. IN SHORT, I COME BACK TO THE FUNDAMENTAL EQUITY OF THE MATTER. IF WE ARE SERIOUS ABOUT ENCOURAGING PEOPLE'S RIGHT TO EMIGRATE, WE OUGHT TO BE EQUALLY SERIOUS ABOUT BEING WILLING TO CHANGE OUR OWN PRACTICES. I AM PUZZLED BY REFERENCE TO SCA AND D/HA'S RESERVATIONS WHICH DID NOT SURFACE IN MY DISCUSSIONS WITH BARBARA WATSON OR PAT DERIAN (ADMITTEDLY IN THE LATTER CASE I WENT INTO LESS DETAIL). AND IF SENATOR JACKSON SEES NO PROBLEM, I'M INTERESTED THAT SOV DOES. BE THAT ALL AS IT MAY, IN VIEW OF THE SECRETARY'S FLAT STATEMENT TO ME JULY 18 THAT I COULD COUNT ON HIS FULL SUPPORT, I SUGGEST THE ISSUE BE PUT TO HIM FOR DECISION. I HAVE TO ADD ONLY THAT AS SOMEONE WHO HAS BEEN INVOLVED THESE MANY YEARS IN ROMANIAN EMIGRATION, I WOULD FIND IT VERY DIFFICULT TO CONTINUE TO BADGER THE ROMANIANS FORHELKINKI AND MFN EMIGRATION COMPLIANCE, KNOWING THAT WE OURSELVES ARE UNABLE TO SOLVE PROBLEMS OF OUR OWN CREATION. INCIDENTALLY, IN MY LAST CONVERSATION WITH AMBASSADOR NICOLAE BEFORE LEAVING WASHINGTON, HE TOLD ME THAT THE HAD RECENTLY CAUTIONED BUCHAREST NOT TO ISSUE TOO MANY

EXIT VISAS AND PASSPORTS FOR DEPARTURE TO THE UNITED
STATES TOO RAPIDLY BECAUSE HE KNEW WE COULDN'T HANDLE
THEM. IS THIS THE SORT OF RECORD WE WANT FOR BELGRADE?
BARNES

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NNN

Message Attributes

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